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HEDRICK SMITH: Congress shut off American funding to Nicaraguan rebels through the CIA last summer, but it did not manage to turn off the controversy over the Contras, as the rebels are known. That still haunts the intelligence agency.

For one thing, the agency, in an effort to explain the guerrilla warfare manual it produced for the Contras, has created another problem that could upset White House hopes for reviving aid to the Nicaraguan rebels next year. Congressional testimony from CIA officials, along with other evidence, has raised concerns that the rebels may be guilty of raping, torturing, and killing numerous unarmed Nicaraguan civilians, including women and children. Appearing before the House Intelligence Committee earlier this month, CIA officials raised this concern by asserting that the manual had been intended to moderate rebel behavior. In addition, some current and former rebel leaders admitted in interviews that some individual rebels had been guilty of atrocities despite the disapproval of their leaders.

One rebel official, Bosco Matamoros, says the main rebel group, the Nicaraguan Democratic Force, has documented several hundred cases of rebels guilty of committing abuses against civilians, ranging from petty theft to murder, in the last two years. He and other rebel leaders say the problem is a regrettable but inevitable byproduct of civil war, and adds that their military courts have issued punishments, from demotion to imprisonment, each time an abuse is discovered.

Edgar Chamorro, a former rebel leader, says that some rebel commanders routinely executed their prisoners. The practice was common, Chamorro said, but it definitely was not our

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policy.

Also, rebel leaders assert that the Sandinistas, too, had been guilty of killing innocent civilians.

A second problem has arisen because of a recent federal court ruling that could force the CIA to release numerous classified documents describing the agency's involvement with Nicaraguan rebels. Administration officials say the ruling, if upheld on appeal, could jeopardize future covert operations because it may set a precedent. In October a U.S. district court judge ordered the CIA to turn over to the Center for National Security Studies 15 classified documents detailing the origins and planning of the agency's support of Nicaragua's anti-Sandinista rebels. The Center is a Washington-based research group critical of American involvement in Central America. It argued that the CIA could no longer contend the operation was secret because it had been so widely and openly discussed by senior American government officials, including President Reagan. The judge agreed, and the CIA is now battling to keep the order from being carried out.